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In re Application of
BAAR et al
Application No.: 09/029,408
PCT No.: PCT/EP96/04016
Int. Filing Date: 12 September 1996
Priority Date: 12 September 1995
Attorney's Docket No.: GK-GEY-1020
For: PROCESS FOR PRODUCING MOULDINGS
WITH A BARRIER LAYER MADE OF
BIODEGRADABLE MATERIAL AND
MOULDINGS PRODUCED ACCORDING
TO THIS PROCESS

DECISION ON
PETITION
UNDER 37 CFR 1.182

This is in response to the petition under 37 CFR 1.182, filed 01 October 1998, requesting entry of the preliminary amendment filed 12 March 1998 and to disregard the preliminary amendment filed 6 March 1998. The \$130 petition fee has been paid. In a decision dated 09 September 1998, applicant was requested to file this petition to clarify the papers filed on 06 March 1998 and 12 March 1998.

On 01 October 1999, applicant filed Figure 4b with the German text translated and the processing fee for translations submitted later than 30 months from the priority date as required by 37 CFR 1.492(f). The English translation of the international application is now unacceptable under 35 U.S.C. 371(c)(2).

On 01 October 1999, applicant submitted a declaration as required by 35 U.S.C. 371(c)(4) and the surcharge for providing an oath or declaration later than 30 months from the priority date as required by 37 CFR 1.492(e).

REQUEST FOR REFUND

Applicant has requested a refund of the \$2684.00. Applicant paid \$2,684.00 on March 6, 1998 and \$1870.00 on March 12, 1998. Accordingly, the basic national fee \$930.00 fee code 970), the extra independent fee (\$82 - fee code 964) and the extra claim fee (\$1672 - fee code 966) will be refunded to counsel's Deposit Account No. 13-0025.

CONCLUSION

The petition under 37 CFR 1.182 is **GRANTED**.

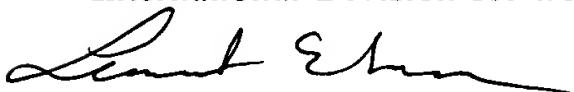
The request for a refund is **GRANTED**.

The preliminary amendment filed on March 6, 1998 will **NOT** be entered.

The preliminary amendment filed on March 12, 1998 will be entered.

Applicant's claim for priority is acknowledged. The application has an international filing date of 12 September 1996 under 35 U.S.C. 363 and a date of 01 October 1998 under 35 U.S.C. 371(c) and 102(e).

This application is being forwarded to the National Stage Processing Branch of the International Division for treatment in accordance with this decision.



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